

Policy 7.3.7 Standard Conflict of Interest Code

POLICY PURPOSE:

The purpose of this policy is to establish procedures developed in compliance with the terms of the Political Reform Act and related regulations concerning the adoption of Conflict of Interest Codes.

POLICY STATEMENT:

The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. §18730, which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference and which may be amended by the FPPC to conform to amendments in the Political Reform Act; these provisions are incorporated by reference as the City's Conflict of Interest Code. The standard Conflict of Interest Code requires a list of City positions subject to its provisions, and these are found in Appendix A. City Councilmembers, Planning Commissioners, City Managers, City Treasurers and City Attorneys are treated separately under the Political Reform Act and are not listed in the Appendix as designated employees. The persons holding positions listed in Appendix A are designated employees. Members of the Board of Building Code Appeals and the Heritage Preservation Commission also have been designated in the Conflict of Interest Code. It has been determined that these persons make or participate in making decisions which may have an effect on financial issues. The disclosure categories they must file under are set forth following the list of positions.

In accord with Government Code Section 87306.5, the Conflict of Interest Code is reviewed in even-numbered years and Appendix A is updated, if necessary.

All designated employees and certain Board and Commission members shall file Statements of Economic Interests, on forms required by the Fair Political Practices Commission, with the City Clerk no later than April 1 of each calendar year.

(Adopted: RTC 91-3CA (2/29/1991); Amended: 92-265 (6/9/1992), 94-351 (6/14/1994), 96-386 (10/1/1996), 98-326 (9/22/1998), 00-307 (9/12/2000), 02-415 (10/22/2002), 04-342 (9/28/2004); (Clerical/clarity update, Policy Update Project 7/2005))

Lead Department: Office of the City Manager

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Appendix A **CITY OF SUNNYVALE CONFLICT OF INTEREST CODE** **DESIGNATED CITY POSITIONS REQUIRED TO FILE** **(Pursuant to Resolution No. 136-04)**

Position:	Disclosure Category:
Accountant (Treasury)	1
Administrative Assistant	1
Administrative Librarian	1
Administrative Services Manager	1
Administrative /Services Manager (Revenue)	1
Assistant Buyer	2
Assistant City Attorney	1
Assistant City Engineer	1
Assistant City Manager	1
Assistant Director of Public Safety	1
Assistant Director of Public Works/City Engineer	1
Assistant to the City Manager	1
Assistant to the Director of Parks and Recreation	1
Assistant Planner	1
Associate Planner	1
Building Inspector/Coordinator	1
Buyer	1
Child Care Manager	1
City Clerk	1
City Property Administrator	1
Civil Engineer	1
Columbia Neighborhood Services Center Manager	1
Communications Officer	1
Deputy City Attorney	1
Deputy City Clerk	1
Deputy City Manager	1
Deputy Communications Officer	1
Director of Community Development	1
Director of Employment Development	1
Director of Human Resources	1
Director of Information Technology	1
Director of Libraries	1
Director of Parks and Recreation	1
Director of Public Safety	1
Director of Public Works	1
Economic Development Manager	1
Employment Training Manager	1
Environmental Division Manager	1
Environmental Engineering Coordinator	2

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Position:	Disclosure Category:
Finance Manager	1
Fire Prevention Inspectors	3
Fleet Manager	2
Golf Operations Supervisor	2
Hazardous Materials Coordinator	3
Hazardous Materials Inspector	3
Housing & Neighborhood Preservation Manager	1
Housing Officer	1
Human Resources Manager	1
Human Resources Supervisor	2
Industrial Waste Inspector	3
Leisure Services Manager	1
Manager, Applications Development	1
Manager, Bureau of Technical Services	1
Manager of Business Operations	2
Manager, Information Technology Services	1
Manager of Job Seeker Services	1
Management Analyst/Budget	2
Management Analyst/Human Resources	2
Management Analyst/Organizational Effectiveness	1
Neighborhood and Community Services Manager	1
Operations Manager	3
Parks Supervisor	3
Permit Technician	1
Plan Check Engineer	1
Planning Officer	1
Principal Planner	1
Program Quality & Operations Manager	2
Public Safety Captain I	1
Public Safety Captain II	1
Public Works Construction Inspector	3
Public Works Supervisor	1
Recreation Supervisor	3
Recycled Water Coordinator	2
Recycling Supervisor	1
Revenue Systems Supervisor	1
Risk & Insurance Manager	1
Senior Accountant	2
Senior Assistant City Attorney	1
Senior Building Inspector/Coordinator	1
Senior Buyer	1
Senior Engineer	1
Senior Finance Manager	1
Senior Industrial Waste Inspector	1
Senior Construction Inspector/Coordinator	1
Senior Management Analyst	1

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Position:	Disclosure Category:
Senior Management Analyst/Organizational Effectiveness	1
Senior Planner	1
Senior Traffic Engineer	2
Senior Transportation Planner	2
Solid Waste Contract Administrator	2
Solid Waste Program Manager	1
Superintendent of Building Inspection	1
Superintendent of Building Maintenance	1
Superintendent of Cultural Arts	1
Superintendent of Field Services	1
Superintendent of Parks	1
Superintendent of Trees & Landscape	1
Supervising Librarian	1
Transportation and Traffic Manager	1
Urban Landscape Supervisors	3
Volunteer Services Manager	1
Water Pollution Control Lab and Pretreatment Manager	1
Water Pollution Control Maintenance & Facility Manager	1
Water Pollution Control Operations Manager	1
Youth and Family Services Manager	1
Consultants*	1
Designated Appointees:	
Member, Board of Building Code of Appeals	1
Member, Heritage Preservation Commission	1

* Consultants are included in the list of designated employees and shall disclose pursuant to Category 1 subject to the following limitation:

The City Manager may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

DISCLOSURE CATEGORIES

Category 1. A designated employee in this category must report all investments, interests in real property owned in the City of Sunnyvale, income and business entities in which he or she is a director, officer, partner, trustee, employee or holds any position of management.

Category 2. A designated employee in this category must report income and business entities in which he or she has an investment or is a director, officer, partner, trustee, employee or holds any position of management, if the business entity or source of income is of the type which has done business with the City of Sunnyvale within the previous two years.

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Category 3. A designated employee in this category must report income and business entities in which he or she has an investment or is a director, officer, partner, trustee, employee or holds any position of management, if the business entity or source of income is of the type which within the previous two years has provided services, equipment, lease space, materials or supplies to the City.